

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 28, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Larry Hudkins
Bob Workman

Commissioners Absent: Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, October 21, 2003.**

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated October 21, 2003. Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The County-City Volunteer of the Month Award was presented to Franklin Manning for his services with the Cooperative Extension Office.

- 3) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

4) CLAIMS FOR REVIEW:

- A. **Payment Voucher 805-0516, dated October 10, 2003 - Human Services has requested payment to Health and Human Services, in the amount of \$1,124, for psychiatric treatment provided from September 1 through September 4, 2003.**

Kristy Mundt, Deputy County Attorney, explained that the claim was not certified by the District Court judge pursuant to Neb. Rev. Stat. §29-1823. Recommendation was denial.

MOTION: Workman moved and Stevens seconded denial of Payment Voucher 805-0516, dated October 10, 2003. Workman, Hudkins, Stevens and Heier voted aye. Motion carried.

- B. **Payment Voucher 782-4558, dated October 13, 2003 - Families First and Foremost has requested payment to the YMCA Teen Center, totaling \$200, for recreational activities for the months of July and August. This claim, however, is excluding a claim by the YMCA for recreational activities provided in June due to the fact that payment for these services was received beyond the 90 day time period (see State Statute §23-135). The authorization, which included the request from payment, was attached to Payment Voucher 782-4558 but the amount was not included in the payment voucher total of \$200.**

Sheryl Schrepf, Executive Director of Families First and Foremost, appeared and gave a brief explanation of the claim.

Hudkins asked for a recommendation from the County Attorney's Office.

Mundt stated the payment voucher, in the amount of \$200, was submitted in the correct time frame, however, the amount that the County Board should consider would be \$120 (Voucher 4586).

Schrepf concurred with Mundt.

MOTION: Workman moved and Stevens seconded approval of a claim to the YMCA Teen Center, in the amount of \$120. Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

- 5) **CLAIMS:** Approval of all claims processed through Tuesday, October 28, 2003.

MOTION: Hudkins moved and Stevens seconded approval of all claims processed through October 28, 2003. Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

- 6) **NEW BUSINESS:**

A. An agreement between Seim, Johnson, Sestak & Quist, LLP and the County of Lancaster for preparation and delivery of Medicare Form HCFA 2088-92-A cost report for the fiscal year ended June 30, 2003 for the Community Mental Health Center. The length of this agreement is from the date of execution until the cost report has been submitted to the County. The County will pay \$3,800 to \$3,900 plus actual out of pocket expenses for the preparation and submission of the cost report. (C-03-0550)

MOTION: Hudkins moved and Stevens seconded approval of an agreement between Seim, Johnson, Sestak & Quist, LLP and the County of Lancaster for preparation and delivery of Medicare Form HCFA 2088-92-A cost report for the fiscal year ended June 30, 2003 for the Community Mental Health Center. Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

B. An evaluation services contract with Child Guidance Center for evaluation services in a residential or non-residential setting for youth as ordered by the Separate Juvenile Court of Lancaster County. Term of the agreement is August 1, 2003 through July 31, 2004. The County will pay \$884.22 for each basic evaluation. (C-03-0551)

MOTION: Stevens moved and Workman seconded approval of an evaluation services contract with Child Guidance Center for evaluation services in a residential or non-residential setting for youth as ordered by the Separate Juvenile Court of Lancaster County. Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

C. An evaluation services contract with Maplewood Counseling Associates, Inc. for evaluation services in a residential or non-residential setting for youth as ordered by the Separate Juvenile Court of Lancaster County. Term of the agreement is August 1, 2003 through July 31, 2004. The County will pay \$884.22 for each basic evaluation. (C-03-0552)

MOTION: Stevens moved and Workman seconded approval of an evaluation services contract with Maplewood Counseling Associates, Inc. for evaluation services in a residential or non-residential setting for youth as ordered by the Separate Juvenile Court of Lancaster County.

Mundt referred to New Business Items 6B through 6D indicating that the insurance requirement for general liability was increased to \$5,000,000. She noted that Maplewood Counseling does not have the requisite insurance.

Schrepf stated she feels it will be difficult to contract with organizations if they have to provide a \$5,000,000 liability.

Mundt stated she had contacted Omni Behavioral (New Business Item 6C) who indicated they could provide the \$5,000,000 general liability.

Kerry Eagan, Chief Administrative Officer, explained that the insurance limits are based on the Tort Claims Act. He stated the requirement is \$5,000,000 per occurrence (liability), \$1,000,000 per person and up to an aggregate of \$5,000,000 per occurrence.

ROLL CALL: Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

D. An evaluation services contract with Omni Behavioral Health for evaluation services in a residential or non-residential setting for youth as ordered by the Separate Juvenile Court of Lancaster County. Term of the agreement is August 1, 2003 through July 31, 2004. The County will pay \$884.22 for each basic evaluation. (C-03-0553)

MOTION: Workman moved and Stevens seconded approval of an evaluation services contract with Omni Behavioral Health for evaluation services in a residential or non-residential setting for youth as ordered by the Separate Juvenile Court of Lancaster County. Stevens, Hudkins, Workman and Heier voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

- E. An end-user license for Basis-32 software used at the Crisis Center which allows staff to score and receive reports regarding patients. The County will pay \$300 to renew the annual license. The license agreement is effective upon execution and expires on September 30, 2004. The agreement is with The McLean Hospital Corporation. (C-03-0554)

MOTION: Hudkins moved and Stevens seconded approval of an end-user license for Basis-32 software used at the Crisis Center which allows staff to score and receive reports regarding patients. Workman, Hudkins, Stevens and Heier voted aye. Motion carried.

F. Grant contracts with the following:

- ▶ Cedars Youth Services for the Minority Outreach Diversion Program, in the amount of \$43,226. The term of the grant will be from July 1, 2003 to June 30, 2004. Cedars will contribute \$21,000 in matching funds. (C-03-0555)
- ▶ Cedars Youth Services for the Community Integration Team Program, in the amount of \$66,500. The term of the grant will be from July 1, 2003 to June 30, 2004. Cedars will contribute \$23,180 in matching funds. (C-03-0556)
- ▶ Cedars Youth Services for the Youth Excelling in School (YES) Program for 25 children from five to eleven years of age, in the amount of \$59,603. The term of the grant will be from July 1, 2003 to June 30, 2004. Cedars will contribute \$30,294 in matching funds. (C-03-0557)
- ▶ Cedars Youth Services for Project SEEK, in the amount of \$35,000. The term of the grant will be from July 1, 2003 to June 30, 2004. Cedars will contribute \$7,713 in matching funds. (C-03-0558)
- ▶ Lighthouse Inc. for the management of Project H.I.R.E., a juvenile employment placement and training program, in the amount of \$5,000. Term of the grant contract is July 1, 2003 through June 30, 2004. (C-03-0559)

6) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Stevens seconded approval of the following grant contracts: Cedars Youth Services for the Minority Outreach Diversion Program, in the amount of \$43,226, Cedars Youth Services for the Community Integration Team Program, in the amount of \$66,500, Cedars Youth Services for the Youth Excelling in School (YES) Program for 25 children from five to eleven years of age, in the amount of \$59,603, Cedars Youth Services for Project SEEK, in the amount of \$35,000 and Lighthouse Inc. for the management of Project H.I.R.E., a juvenile employment placement and training program, in the amount of \$5,000. Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

G. An agreement with Cedars Youth Services for the operation of a Juvenile Pre-trial Diversion Program which includes the operation of a Teen Court Program. The County will provide funding in the amount of \$51,500. The term of the agreement is July 1, 2003 to June 30, 2004. (C-03-0560)

MOTION: Workman moved and Hudkins seconded approval of an agreement with Cedars Youth Services for the operation of a Juvenile Pre-trial Diversion Program which includes the operation of a Teen Court Program. Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

H. A contract with Latta Technical Services, Inc. for security system consulting services, in the total amount of \$87,254, with the following completion goals: Phase I from November 1 to December 31, 2003; Phase II from January 1 to June 30, 2004 and Phase III from July 1, 2004 to December 31, 2005. Services will begin upon execution of the agreement until the Contractor delivers final reports by no later than 24 months from start date, on or about November 30, 2005. (C-03-0561)

MOTION: Hudkins moved and Stevens seconded approval of a contract with Latta Technical Services, Inc. for security system consulting services, in the total amount of \$87,254. Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- I. An addendum to an agreement between Lancaster County and Local 2468 of the American Federation of State, County and Municipal Employees, AFL-CIO altering the method for computing overtime for Lancaster Manor employees for the 2003-2004 contract year. (C-03-0574)**

MOTION: Hudkins moved and Workman seconded approval of an addendum to an agreement between Lancaster County and Local 2468 of the American Federation of State, County and Municipal Employees, AFL-CIO altering the method for computing overtime for Lancaster Manor employees for the 2003-2004 contract year. Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

- J. Amendment of the by-laws for the Lancaster County Visitors Promotion Committee to provide flexibility with regard to the monthly meeting date.**

Eagan referred to Section 1, Article 4 of the by-laws and explained that the amendment would allow the Visitors Promotion Committee flexibility with regard to the date of the monthly meeting.

MOTION: Workman moved and Stevens seconded approval of an amendment of the by-laws for the Lancaster County Visitors Promotion Committee to provide flexibility with regard to the monthly meeting date. Workman, Stevens, Hudkins and Heier voted aye. Motion carried.

- K. Transfer of a quitclaim deed and assignment of rights for property generally located at South 96th Street and Stagecoach Road, Lincoln, Lancaster County, Nebraska to Daryl Meyer. In consideration of the transfer the County has received \$3,501.**

MOTION: Hudkins moved and Stevens seconded approval of a transfer of a quitclaim deed and assignment of rights for property generally located at South 96th Street and Stagecoach Road, Lincoln, Lancaster County, Nebraska to Daryl Meyer. Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

L. A quitclaim deed with Larry W. and Karen A. Morten for property legally described as a part of Lot 4, I.T. in the SW 1/4, SE 1/4 of Section 19, Township 9 North, Range 5 East of the 6th Principal Meridian in Lancaster County, Nebraska.

MOTION: Hudkins moved and Workman seconded approval of a quitclaim deed with Larry W. and Karen A. Morten for property legally described as a part of Lot 4, I.T. in the SW 1/4, SE 1/4 of Section 19, Township 9 North, Range 5 East of the 6th Principal Meridian in Lancaster County, Nebraska. Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

M. A resolution in the matter of approving the adjustment of the boundary of County Commissioner District 4 in Lancaster County, Nebraska. (R-03-0113)

Dave Shively, Election Commissioner, gave a brief explanation of the resolution which addresses a newly annexed area in Precinct 10H2. He stated the adjustment will assist his office in avoiding a split within the precinct.

MOTION: Stevens moved and Workman seconded approval of Resolution 03-0113 approving the adjustment of the boundary of County Commissioner District 4 in Lancaster County, Nebraska. Workman, Stevens, Hudkins and Heier voted aye. Motion carried.

N. A resolution authorizing the installation of a driveway warning sign in advance of the drive located at 5340 McKelvie Road, for westbound traffic. (R-03-0114)

MOTION: Workman moved and Stevens seconded approval of R-03-0114 authorizing the installation of a driveway warning sign in advance of the drive located at 5340 McKelvie Road, for westbound traffic. Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

O. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Shield Ag Equipment, in the total amount of \$23,476, for four post drivers. (B-03-0030)

MOTION: Hudkins moved and Stevens seconded to accept the recommendation from the Purchasing Agent and the County Engineer to award a bid to Shield Ag Equipment, in the total amount of \$23,476, for four post drivers. Workman, Hudkins, Stevens and Heier voted aye. Motion carried.

P. A political subdivision tort claim filed against the Lancaster County Corrections Department by Aaron Randall, in the amount of \$25, for lost property.

MOTION: Stevens moved and Hudkins seconded to accept the Director's recommendation and deny a political subdivision tort claim filed against the Lancaster County Corrections Department by Aaron Randall, in the amount of \$25, for lost property. Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

Heier requested Commissioner Stevens, Vice Chair, to continue with the meeting.

Discussion took place regarding the setting of a public hearing for November 11, 2003. It was noted that County and City offices are closed on that date due to the observance of Veterans Day.

MOTION: Hudkins moved to hold a regular Board of Commissioners meeting on Thursday, November 13, 2003 at 1:30 p.m. instead of Tuesday, November 11th, due to the observance of Veterans Day.

There was no second.

7) CONSENT ITEMS CONTINUED:

Eagan noted that there will be an item on the Thursday staff meeting to discuss the fact the Veterans Day falls on a Tuesday.

Hudkins withdrew his motion.

- A. Setting of a public hearing on Tuesday, November 11, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding County Final Plat 03026, Wyndam Place Addition, requested by Brian D. Carstens and Associates on behalf of Bernie and Connie Heier, consisting of 16 residential acreage lots, on property generally located at North 176th and Holdrege Streets in Lancaster County, Nebraska.**
- B. Right-of-way contracts between the Lancaster County Engineering Department and the following:**
- ▶ Roger S. and Patricia K. Freese, in the amount of \$161.25, on Rokeby Road from South 56th to South 70th Streets; Project C55-P-427(1). (C-03-0562)
 - ▶ Ben L. and Angela Barrett, in the amount of \$107.50, on Rokeby Road from South 56th to South 70th Streets; Project C55-P-427(1). (C-03-0563)
 - ▶ Louis and Delores D. Havlat, in the total amount of \$7,930, on Rokeby Road from South 56th to South 70th Streets; Project C55-P-427(1). (2 contracts) (C-03-0564 and C-03-0565)
 - ▶ Joyce Vernice Hromas, in the total amount of \$10,269.50, on Rokeby Road from South 56th to South 70th Streets; Project C55-P-427(1). (2 contracts) (C-03-0566 and C-03-0567)
 - ▶ Michael P. and Lynette S. Wilson, in the total amount of \$4,201.80, on Rokeby Road from South 56th to South 70th Streets; Project C55-P-427(1). (2 contracts) (C-03-0568 and C-03-0569)
 - ▶ Donald L. and Beverly Madsen, in the total amount of \$10,996.25, on Rokeby Road from South 56th to South 70th Streets; Project C55-P-427(1). (2 contracts) (C-03-0570 and C-03-0571)
 - ▶ Dennis Ray Alexander, in the total amount of \$1,283, on Rokeby Road from South 56th to South 70th Streets; Project C55-P-427(1). (2 contracts) (C-03-0572 and C-03-0573)

7) **CONSENT ITEMS CONTINUED:**

MOTION: Workman moved and Hudkins seconded approval of Consent Item 7B. Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

MOTION: Hudkins moved and Workman seconded to set a public hearing for Thursday, November 13, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding County Final Plat 03026, Wyndam Place Addition, requested by Brian D. Carstens and Associates on behalf of Bernie and Connie Heier, consisting of 16 residential acreage lots, on property generally located at North 176th and Holdrege Streets in Lancaster County, Nebraska. Stevens, Workman and Hudkins voted aye. Heier abstained from voting. Motion carried.

8) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:10 p.m.. Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 28, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Larry Hudkins
Bob Workman

Commissioners Absent: Deb Schorr

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:10 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 21, 2003.**

MOTION: Stevens moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting dated October 21, 2003. Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Blessed Sacrament Parish and School
Good News Broadcasting Association, Inc.
Nebraska Wesleyan University
Northern Lighthouse Church
Southeast Nebraska Mobile Diagnostic Services, Inc.
VITAL Services, Inc.**

MOTION: Stevens moved and Hudkins seconded approval of motor vehicle tax exemptions for Blessed Sacrament Parish and School, Good News Broadcasting Association, Inc., Northern Lighthouse Church, Southeast Nebraska Mobile Diagnostic Services, Inc. and VITAL Services, Inc. and to also approve a motor vehicle tax exemption for Nebraska Wesleyan University subject to the vehicle being titled and registered to the applicant. Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Equalization meeting at 2:11 p.m.. Workman, Hudkins, Stevens and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk